

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-33. (Previously Cancelled)

34. (Currently Amended) A ~~risk-based method of debiting a deposit account associated with a payer, in connection with a request to make a payment,~~ comprising:

~~a payment service provider receiving, at a payment service provider,~~ a request to make a payment to a payee on behalf of a payer;

~~the payment service provider determining a risk associated with making the requested payment on behalf of the payer in accordance with the received payment request;~~

~~the payment service provider selecting a form for debiting a deposit a payment account associated with the payer based at least in part on the determined risk at least one of (i) comparing a payer account number associated with the payer and the payee to a merchant account scheme, and (ii) comparing a payment amount associated with the received request to a merchant credit limit; and~~

~~the payment service provider generating an instruction to debit the payer's deposit payment account associated with the payer in accordance with the selected form for debiting.~~

35. (Cancelled)

36. (Currently Amended) The method of claim [35] 34, wherein selecting the form for debiting further comprising comprises:

~~the payment service provider comparing [a] at least one comparison amount which corresponds to the associated with the payment amount[,]~~ to at least one threshold amount[;].

~~wherein the risk is determined based on the result of the comparison.~~

37. (Currently Amended) The method of claim 36, wherein:

the at least one threshold amount includes one or more of (i) a threshold amount associated with the payment service provider, (ii) ~~an individual transaction threshold amount associated with the payee,~~ (iii) (ii) an individual transaction threshold amount associated with the payer, and ~~(iv)~~ (iii) a cumulative transaction threshold amount for a time period and associated with the payer.

38. (Currently Amended) The method of claim 37, wherein the at least one threshold amount includes the cumulative transaction threshold amount, and further comprising:

~~the payment service provider~~ computing a sum of the associated payment amount and an aggregated amount of one or more previous payments ~~previously~~ made on behalf of the payer within the time period;

wherein the at least one comparison amount [is] includes the ~~computed~~ sum ~~and the comparison amount is compared to the at least one threshold amount by comparing the computed sum to the cumulative transaction threshold amount.~~

39. (Currently Amended) The method of claim 38, wherein ~~the~~ at least one of the one or more previous payments ~~previously~~ made within the time period are associated with one or more debits which have been previously made from the payer's deposit account via [the] an Automated Clearing House (ACH) ACH network.

40. (Currently Amended) The method of claim 37, further comprising:

~~the payment service provider~~ determining at least one of the individual transaction threshold amount ~~associated with the payer~~ and the cumulative transaction threshold amount[,]  
based, at least in part, upon a credit report associated with the payer.

41. (Currently Amended) The method of claim [37] 34, wherein:

the payee is one of a plurality of payees; and  
the ~~individual transaction threshold amount associated with the payee~~ merchant credit limit is determined ~~by the payment service provider~~ based, at least in part, on an identity of the payee.

42. (Currently Amended) The method of claim 34, wherein:  
the form [of] for debiting comprises at least one of ~~is selected from a group including a first form of debiting~~ (i) an Automated Clearing House (ACH) debit and (ii) a paper draft second form of debiting.

43. (Currently Amended) The method of claim 34, wherein the generated instruction is a first instruction, and further comprising:  
~~the payment service provider~~ generating a second instruction to pay the payee.

44. (Currently Amended) The method of claim 34, ~~further comprising:~~  
~~the payment service provider receiving other information;~~  
wherein selecting the form for debiting further comprises verifying the risk associated with making the request payment on behalf of the payer is determined based on the received other information.[.]

45. (Currently Amended) The method of claim 44, wherein:  
the ~~received~~ other information includes information associated with at least one of the payer and ~~the payee~~ a financial institution associated with the payment account.

46. (Currently Amended) The method of claim 44, further comprising:  
~~the payment service provider assigning a status to the payer, based on the received other information and~~ prior to receiving the request;

wherein the other information includes the status risk determined based on the received  
~~other information is a risk determined based on the status of the assigned payer.~~

47. (Currently Amended) A system ~~for risk-based debiting of a deposit account associated with a payer, in connection with a request to make a payment,~~ comprising:

a ~~payment service provider~~ an interface to a ~~public communications~~ network for receiving a request to make a payment to a payee on behalf of a payer; and

a ~~payment service provider~~ processor configured (i) to ~~determine a risk associated with making the requested payment on behalf of the payer in accordance with the received payment request,~~ (ii) to select a form for debiting a payment deposit account associated with the payer based at least in part on the determined risk at least one of (1) a comparison of a payer account number associated with the payer and the payee to a merchant account scheme, and (2) a comparison of a payment amount associated with the received request to a merchant credit limit, and (iii) (ii) to generate an instruction to debit the payer's deposit payment account associated with the payer in accordance with the selected form for debiting.

48. (Cancelled)

49. (Currently Amended) The system of claim [48] 47, wherein the ~~payment service provider~~ processor is further configured to select the form for debiting based at least in part on a comparison of at least one compare a comparison amount which corresponds to the associated with the payment amount[,] to at least one threshold amount ~~and to determine the risk based on the result of the comparison.~~

50. (Currently Amended) The system of claim 49, wherein:

the at least one threshold amount includes a cumulative transaction threshold amount for a time period and associated with the payer; and

~~the payment service provider~~ processor is further configured to compute a sum of the associated payment amount and an aggregated amount of one or more previous payments ~~previously~~ made on behalf of the payer within the time period; and

the at least one comparison amount [is] includes the sum ~~compared to the at least one~~ threshold amount ~~by comparing the computed sum with the cumulative transaction threshold~~ amount.

51. (Currently Amended) The system of claim [49] 47, wherein:

the payee is one of a plurality of payees;

~~the at least one threshold amount includes an individual transaction threshold amount associated with the payee; and~~

the payment service provider processor is further configured to determine the individual transaction threshold amount associated with the payee based, at least in part, on an identity of the payee.

52. (Currently Amended) The system of claim 47, wherein:

~~the payment service provider processor is further configured to select the form [of] for~~ debiting comprises at least one of from a group including a first form of debiting (i) an Automated Clearing House (ACH) debit and (ii) a paper draft ~~second form of debiting.~~

53. (Currently Amended) The system of claim 47, wherein:

the generated instruction is a first instruction; and

~~the payment service provider~~ processor is further configured to generate a second instruction to pay the payee.

54. (Currently Amended) The system of claim 47, wherein:

~~the payment service provider~~ processor is further configured to select a form for debiting based at least in part on verifying receive other information; ~~and~~

~~the risk associated with making the requested payment on behalf of the payer is determined based on the received other information.~~

55. (Currently Amended) The system of claim 54, wherein:

~~the payment service provider processor is further configured to assign a status to the payer based on the received other information and prior to receiving the request; and~~

~~the risk determined based on the received other information is a risk determined based on~~  
includes the status assigned to the payer.

56. (New) The method of claim 34, wherein funds are received by the payment service provider in association with debiting the payment account associated with the payer, and further comprising:

selecting a form for crediting the payee comprising at least one of (i) a check payable to the payee and written on an account associated with the payment service provider and (ii) an electronic credit; and

generating an instruction to pay the payee in accordance with the selected form for crediting.

57. (New) The method of claim 56, wherein the instruction to pay the payee is generated prior to receiving the funds associated with the debit.

58. (New) The method of claim 56, wherein selecting the form for crediting the payee is based, at least in part, on examining a settlement code associated with the payee.

59. (New) The method of claim 43, wherein:

the first instruction is an instruction to perform an Automated Clearing House (ACH) debit; and

the second instruction is one of (i) an instruction to perform an ACH credit and (ii) an instruction to issue a consolidated check.

60. (New) The method of claim 59, wherein the request is a first request, the payer is a first payer, the selected form for debiting is a first selected form for debiting, the payment account is a first payment account, and the second instruction is an instruction to issue a consolidated check, and further comprising:

- receiving a second request to make a payment to the payee on behalf of a second payer;
- selecting a second form for debiting a second payment account associated with the second payer; and

- generating a third instruction to debit the second payment account in accordance with the selected second form for debiting;

- wherein the consolidated check includes a payment of both the first request and the second request.

61. (New) The method of claim 56, wherein the funds are deposited in a first account associated with the payment service provider, the selected form for crediting is a check, and the check is written on a second account associated with the payment service provider.

62. (New) The method of claim 34, further comprising:

- receiving an authorization of the payer to debit the payment account;
- wherein generating the instruction to debit the payment account is additionally in accordance with the authorization to debit the payment account.

63. (New) The method of claim 62, wherein the authorization to debit is received prior to receiving the request to make the payment, and further comprising:

- storing an indicator of the authorization to debit;

wherein generating the instruction to debit in accordance with the authorization to debit is based at least in part on the stored indicator.

64. (New) The method of claim 34, wherein selecting the form for debiting includes comparing the payer account number associated with the payee to a merchant account scheme; and

if the payer account number with the payee fails to correspond to the merchant account scheme, then the selected form for debiting is a paper draft.

65. (New) The method of claim 34, wherein selecting the form for debiting includes comparing the payment amount associated with the received request to a merchant credit limit; and

if the payment amount is less than or equal to the merchant credit limit, then the selected form for debiting is an Automated Clearing House (ACH) debit.

66. (New) The method of claim 44, wherein the selected form for debiting is a paper draft if at least one of (i) the other information fails to correspond to a first specific value, or (ii) the other information corresponds to a second specific value.

67. (New) The method of claim 37, wherein the at least one threshold amount includes a threshold amount associated with the payment service provider; and

the selected form for debiting is an Automated Clearing House (ACH) debit if the payment amount is less than the threshold amount associated with the payment service provider.

68. (New) The method of claim 36, wherein the at least one threshold amount includes a first threshold amount associated with the payer and a second threshold amount associated with the payer; and

the selected form for debiting is an Automated Clearing House (ACH) debit if the comparison amount is less than both the first threshold amount associated with the payer and the second threshold amount associated with the payer.

69. (New) The method of claim 34, further comprising:  
transmitting a confirmation of acceptance of the request to make a payment without having determined an availability of adequate funds in the payment account.
70. (New) The method of claim 69, wherein the request is received in a network session and the confirmation is transmitted in the same network session.
71. (New) The method of claim 69, further comprising:  
validating the received request prior to transmitting the confirmation of acceptance.
72. (New) The method of claim 69, wherein selecting the form for debiting is subsequent to transmitting the confirmation.
73. (New) The method of claim 36, wherein the at least one comparison amount includes the payment amount.
74. (New) The method of claim 37, wherein the time period comprises a time period from the start of a present month to the current date of the present month.
75. (New) The method of claim 34, wherein the payment account comprises a demand deposit account.

76. (New) The system of claim 47, wherein funds are received by a payment service provider associated with the processor in association with debiting the payment account associated with the payer, and wherein:

the processor is further configured (i) to select a form for crediting the payee comprising one of (1) a check payable to the payee and written on an account associated with the payment service provider and (2) an electronic credit, and (ii) to generate an instruction to pay the payee in accordance with the selected form for crediting.

77. (New) The system of claim 76, wherein the processor generates the instruction to pay the payee prior to the payment service provider receiving the funds associated with the debit.

78. (New) The system of claim 76, wherein the processor is configured to select the form for crediting the payee based, at least in part, on examining a settlement code associated with the payee.

79. (New) The system of claim 53, wherein:

the first instruction is an instruction to perform an Automated Clearing House (ACH) debit; and

the second instruction is one of (i) an instruction to perform an ACH credit and (ii) an instruction to issue a consolidated check.

80. (New) The system of claim 79, wherein the request is a first request, the payer is a first payer, the selected form for debiting is a first selected form for debiting, the payment account is a first payment account, and the second instruction is an instruction to issue a consolidated check, wherein:

the interface is further configured to receive a second request to make a payment to the payee on behalf of a second payer; and

the processor is further configured (i) to select a second form for debiting a second payment account associated with the second payer, and (ii) to generate a third instruction to debit the second payment account in accordance with the selected second form for debiting;

wherein the consolidated check includes a payment of both the first request and the second request.

81. (New) The system of claim 47, wherein:

the interface is further configured to receive an authorization of the payer to debit the payment account;

wherein the processor generates the instruction to debit the payment account in accordance with the authorization to debit the payment account.

82. (New) The system of claim 47, wherein the processor selects the form for debiting based at least in part on a comparison of the payer account number associated with the payee to a merchant account scheme; and

if the payer account number with the payee fails to correspond to the merchant account scheme, then the selected form for debiting is a paper draft.

83. (New) The system of claim 47, wherein the processor selects the form for debiting based at least in part on a comparison of the payment amount associated with the received request to a merchant credit limit; and

if the payment amount is less than or equal to the merchant credit limit, then the selected form for debiting is an Automated Clearing House (ACH) debit.

84. (New) The system of claim 54, wherein the selected form for debiting is a paper draft if at least one of (i) the other information fails to correspond to a first specific value, or (ii) the other information corresponds to a second specific value.

85. (New) The system of claim 49, wherein the at least one threshold amount includes a threshold amount associated with a payment service provider associated with the processor; and the selected form for debiting is an Automated Clearing House (ACH) debit if the payment amount is less than the threshold amount associated with the payment service provider.

86. (New) The system of claim 49, wherein the at least one threshold amount includes a first threshold amount associated with the payer and a second threshold amount associated with the payer; and the selected form for debiting is an Automated Clearing House (ACH) debit if the payment amount is less than both the first threshold amount associated with the payer and the second threshold amount associated with the payer.

87. (New) The system of claim 47, wherein: the interface is further configured to transmit a confirmation of acceptance of the request to make a payment without having determined an availability of adequate funds in the payment account.

88. (New) The system of claim 87, wherein the request is received in a network session and the confirmation is transmitted in the same network session.

89. (New) The system of claim 87, wherein: the processor is further configured to validate the received request prior to the interface transmitting the confirmation of acceptance.

90. (New) The system of claim 87, wherein the processor is configured to select the form for debiting subsequent to the interface transmitting the confirmation.

91. (New) The system of claim 49, wherein the at least one comparison amount includes the payment amount.

92. (New) The system of claim 50, wherein the time period comprises a time period from the start of a present month to the current date of the present month.

93. (New) The system of claim 47, wherein the payment account comprises a demand deposit account.

94. (New) A system comprising:

means for receiving, at a payment service provider, a request to make a payment to a payee on behalf of a payer;

means for selecting a form for debiting the payment account associated with the payer based at least in part on at least one of (i) comparing a payer account number associated with the payer and the payee to a merchant account scheme, and (ii) comparing a payment amount associated with the received request to a merchant credit limit; and

means for generating an instruction to debit the payment account associated with the payer in accordance with the selected form for debiting.